

AMENDED IN SENATE MAY 5, 2025  
AMENDED IN SENATE APRIL 22, 2025  
AMENDED IN SENATE APRIL 8, 2025  
AMENDED IN SENATE MARCH 24, 2025

**SENATE BILL**

**No. 582**

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**Introduced by Senator Stern**  
**(Principal coauthors: Senators Cervantes, Cortese, Gonzalez, Pérez,**  
**Reyes, Richardson, Smallwood-Cuevas, and Umberg)**

February 20, 2025

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An act to amend Section 1569.695 of, to add Section 1418.23 to, to add Article 6 (commencing with Section 11834.60) to Chapter 7.5 of Part 2 of Division 10.5 of, and to add Chapter 15 (commencing with Section 1796.80) to Division 2 of, the Health and Safety Code, relating to health and care facilities.

LEGISLATIVE COUNSEL'S DIGEST

SB 582, as amended, Stern. Health and care facilities: licensing during emergencies or disasters.

Existing law provides for the licensure of clinics and various health facilities, including skilled nursing facilities and intermediate care facilities, by the State Department of Public Health. Existing law, the Long-Term Care, Health, Safety, and Security Act of 1973, generally requires the department to license, inspect, and regulate long-term health care facilities, including skilled nursing facilities. Existing law makes it a misdemeanor for any person to willfully or repeatedly violate the act, as specified. Existing regulations require skilled nursing facilities to adopt and follow a written external disaster and mass casualty

program plan developed with the advice and assistance of county or regional and local planning offices.

This bill would require skilled nursing facilities to update the external disaster and mass casualty program plan at least once ~~every 5 years~~ *per year*. The bill would require, in adopting and updating the plan, skilled nursing facilities to, among other things, seek input from county or regional and local planning offices, including the medical health operational area coordinator (MHOAC). By expanding the scope of an existing crime, the bill would impose a state-mandated local program.

Existing law provides for the licensure of residential care facilities for the elderly (RCFEs) by the State Department of Social Services. Existing law requires an RCFE to have an emergency and disaster plan that includes specified information, including evacuation procedures. Under existing law, an RCFE is encouraged to have the plan be reviewed by local emergency authorities. Violation of these provisions is a crime.

This bill would instead require an RCFE to provide a copy of its emergency and disaster plan to the MHOAC, as specified, for the purposes of local disaster coordination. By expanding the scope of an existing crime, the bill would impose a state-mandated local program.

Existing law provides for the licensure of various facilities, including community care facilities, RCFEs, child daycare facilities, and medical foster homes for veterans by the State Department of Social Services. Existing law provides for the licensure of alcohol or other drug recovery or treatment facilities by the State Department of Health Care Services.

This bill would set forth provisions for the licensing status of certain entities that are made nonoperational, due to its destruction, significant damage, or through a prolonged closure or otherwise, during and as a result of a state of emergency proclaimed by the Governor, a federal emergency declaration, a federal major disaster declaration, or a federal fire management assistance declaration. The bill would apply to clinics, certain health facilities, certain community care facilities, RCFEs, child daycare facilities, medical foster homes for veterans, and alcohol or other drug recovery or treatment facilities.

This bill would authorize the State Department of Health Care Services to allow a facility that is made nonoperational as described above, and require the State Department of Public Health and the State Department of Social Services to allow an entity, when nonoperational due to its destruction, significant damage, or prolonged closure, to obtain a disaster suspension of its active license if the facility or entity notifies the department that it intends to become operational again in the same

or alternative location. The bill would require the entity to notify the applicable department within 6 months of the proclamation or declaration if the entity seeks to obtain a disaster suspension of its active license.

In the case of an entity that was destroyed in a fire and is being rebuilt for the same purpose, and that is allowed to obtain a disaster suspension of its active license, the bill would authorize the applicable department to waive the annual state licensing fees for the entity on a year-by-year basis.

If an entity is licensed or certified by more than one state department within the California Health and Human Services Agency, and is made nonoperational and obtains a disaster suspension of its active license, the bill would require the governing state departments to coordinate operational steps, as specified.

The bill would require the State Department of Public Health or the State Department of Social Services, as applicable, for the duration of the first 30 calendar days following a proclamation or declaration, to waive in-person or daily attendance requirements for Community-Based Adult Services (CBAS) or childcare programs, for purposes of an entity made nonoperational.

The bill would require the State Department of Social Services to collaborate with local building, planning, and permitting officials, the local fire marshal, and local childcare agencies and regional centers, to ensure swift and seamless processes for inspecting and licensing entities that are subject to the above-described provisions, as applicable.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

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

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

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) On January 7, 2025, the Los Angeles area experienced the
- 4 development of two massive wildfires, sweeping through

1 established communities, leveling thousands of homes and  
2 businesses, and changing the course of people’s lives.

3 (b) Among the losses were dozens of state-licensed entities,  
4 including, but not limited to, skilled nursing facilities, adult  
5 residential facilities, other assisted living facilities, childcare  
6 centers and homes, and children’s residential care facilities. Each  
7 of these losses is compounded by other facilities or other entities  
8 becoming nonoperational in the fires.

9 (c) Replacing the lost licensing capacity, or maintaining the  
10 licensing capacity, of these entities will be critical to returning  
11 these communities to their former vibrancy.

12 (d) It is the intent of the Legislature to facilitate the recovery  
13 and rebuilding of state-licensed facilities and other entities as  
14 quickly as possible.

15 SEC. 2. Section 1418.23 is added to the Health and Safety  
16 Code, to read:

17 1418.23. (a) The Legislature finds and declares that it is the  
18 public policy of this state to ensure the health and safety of highly  
19 vulnerable persons residing in skilled nursing facilities during an  
20 emergency, natural disaster, wildfire, or other cause requiring the  
21 evacuation of residents.

22 (b) The external disaster and mass casualty program plan  
23 required to be adopted pursuant to Section 72551 of Title 22 of  
24 the California Code of Regulations shall be updated at least once  
25 ~~every five years.~~ *per year.* In adopting and updating the plan, a  
26 skilled nursing facility shall do all of the following:

27 (1) Seek input from county or regional and local planning  
28 offices, including the medical health operational area coordinator  
29 (MHOAC).

30 (2) Incorporate, to the extent feasible, lessons learned from any  
31 recent major disasters that impacted skilled nursing facilities in  
32 California.

33 (3) Provide copies of the plan, including updates, to local or  
34 regional emergency planning offices, including the MHOAC.

35 SEC. 3. Section 1569.695 of the Health and Safety Code is  
36 amended to read:

37 1569.695. (a) In addition to any other requirement of this  
38 chapter, a residential care facility for the elderly shall have an  
39 emergency and disaster plan that shall include, but not be limited  
40 to, all of the following:

- 1 (1) Evacuation procedures, including identification of an  
2 assembly point or points that shall be included in the facility sketch.
- 3 (2) Plans for the facility to be self-reliant for a period of not less  
4 than 72 hours immediately following any emergency or disaster,  
5 including, but not limited to, a short-term or long-term power  
6 failure. If the facility plans to shelter in place and one or more  
7 utilities, including water, sewer, gas, or electricity, is not available,  
8 the facility shall have a plan and supplies available to provide  
9 alternative resources during an outage.
- 10 (3) Transportation needs and evacuation procedures to ensure  
11 that the facility can communicate with emergency response  
12 personnel or can access the information necessary in order to check  
13 the emergency routes to be used at the time of an evacuation and  
14 relocation necessitated by a disaster. If the transportation plan  
15 includes the use of a vehicle owned or operated by the facility, the  
16 keys to the vehicle shall be available to staff on all shifts.
- 17 (4) A contact information list of all of the following:  
18 (A) Emergency response personnel.  
19 (B) The Community Care Licensing Division within the State  
20 Department of Social Services.  
21 (C) The local long-term care ombudsman.  
22 (D) Transportation providers.
- 23 (5) At least two appropriate shelter locations that can house  
24 facility residents during an evacuation. One of the locations shall  
25 be outside of the immediate area.
- 26 (6) The location of utility shut-off valves and instructions for  
27 use.
- 28 (7) Procedures that address, but are not limited to, all of the  
29 following:  
30 (A) Provision of emergency power that could include  
31 identification of suppliers of backup generators. If a permanently  
32 installed generator is used, the plan shall include its location and  
33 a description of how it will be used. If a portable generator is used,  
34 the manufacturer's operating instructions shall be followed.  
35 (B) Responding to an individual resident's needs if the  
36 emergency call buttons are inoperable.  
37 (C) Process for communicating with residents, families, hospice  
38 providers, and others, as appropriate, that might include landline  
39 telephones, cellular telephones, or walkie-talkies. A backup process  
40 shall also be established. Residents and their responsible parties

1 shall be informed of the process for communicating during an  
2 emergency.

3 (D) Assistance with, and administration of, medications.

4 (E) Storage and preservation of medications, including the  
5 storage of medications that require refrigeration.

6 (F) The operation of assistive medical devices that need electric  
7 power for their operation, including, but not limited to, oxygen  
8 equipment and wheelchairs.

9 (G) A process for identifying residents with special needs, such  
10 as hospice, and a plan for meeting those needs.

11 (H) Procedures for confirming the location of each resident  
12 during an emergency response.

13 (b) A facility shall provide training on the plan to each staff  
14 member upon hire and annually thereafter. The training shall  
15 include staff responsibilities during an emergency or disaster.

16 (c) A facility shall conduct a drill at least quarterly for each  
17 shift. The type of emergency covered in a drill shall vary from  
18 quarter to quarter, taking into account different emergency  
19 scenarios. An actual evacuation of residents is not required during  
20 a drill. While a facility may provide an opportunity for residents  
21 to participate in a drill, it shall not require any resident  
22 participation. Documentation of the drills shall include the date,  
23 the type of emergency covered by the drill, and the names of staff  
24 participating in the drill.

25 (d) A facility shall review the plan annually and make updates  
26 as necessary, including changes in floor plans and the population  
27 served. The licensee or administrator shall sign and date  
28 documentation to indicate that the plan has been reviewed and  
29 updated as necessary.

30 (e) A facility shall have all of the following information readily  
31 available to facility staff during an emergency:

32 (1) A resident roster with the date of birth for each resident.

33 (2) An appraisal of resident needs and services plan for each  
34 resident.

35 (3) A resident medication list for residents with centrally stored  
36 medications.

37 (4) Contact information for the responsible party and physician  
38 for each resident.

39 (f) A facility shall have both of the following in place:

1 (1) An evacuation chair at each stairwell, on or before July 1,  
2 2019.

3 (2) A set of keys available to facility staff on each shift for use  
4 during an evacuation that provides access to all of the following:

5 (A) All occupied resident units.

6 (B) All facility vehicles.

7 (C) All facility exit doors.

8 (D) All facility cabinets and cupboards or files that contain  
9 elements of the emergency and disaster plan, including, but not  
10 limited to, food supplies and protective shelter supplies.

11 (g) A facility shall make the plan available upon request to  
12 residents onsite, any responsible party for a resident, the local  
13 long-term care ombudsman, and local emergency responders.  
14 Resident and employee information shall be kept confidential.

15 (h) An applicant seeking a license for a new facility shall submit  
16 the emergency and disaster plan with the initial license application  
17 required under Section 1569.15.

18 (i) The department's Community Care Licensing Division shall  
19 confirm, during annual licensing visits, that the emergency and  
20 disaster plan is on file at the facility and includes required content.

21 (j) A facility shall provide a copy of its emergency and disaster  
22 plan to the medical health operational area coordinator described  
23 in Section 1797.153 for the purposes of local disaster coordination.

24 (k) Nothing in this section shall create a new or additional  
25 requirement for the department to evaluate the emergency and  
26 disaster plan.

27 SEC. 4. Chapter 15 (commencing with Section 1796.80) is  
28 added to Division 2 of the Health and Safety Code, to read:

29

30 CHAPTER 15. LICENSING DURING EMERGENCIES OR DISASTERS

31

32 1796.80. This chapter shall apply to all of the following entities:

33 (a) The following entities within the jurisdiction of the State  
34 Department of Public Health:

35 (1) Clinic, as defined in Section 1200.

36 (2) The following entities, as defined in Section 1250:

37 (A) Skilled nursing facility.

38 (B) Intermediate care facility.

39 (C) Intermediate care facility/developmentally disabled  
40 habilitative.

- 1 (D) Intermediate care facility/developmentally disabled.
- 2 (E) Intermediate care facility/developmentally disabled-nursing.
- 3 (F) Congregate living health facility.
- 4 (G) Intermediate care facility/developmentally
- 5 disabled-continuous nursing.
- 6 (H) Hospice facility.
- 7 (b) The following entities within the jurisdiction of the State
- 8 Department of Social Services:
- 9 (1) The following entities, as defined in Section 1502:
- 10 (A) Residential facility.
- 11 (B) Adult day program.
- 12 (C) Foster family home.
- 13 (D) Small family home.
- 14 (E) Transitional shelter care facility.
- 15 (F) Transitional housing placement provider.
- 16 (G) Enhanced behavioral supports home.
- 17 (H) Community crisis home.
- 18 (I) Crisis nursery.
- 19 (J) Short-term residential therapeutic program.
- 20 (2) Adult residential facility, as defined in Section 1562.1.
- 21 (3) Medical foster home for veterans, as defined in Section
- 22 1568.21.
- 23 (4) Residential care facility for the elderly, as defined in Section
- 24 1569.2.
- 25 (5) Child daycare facility, as defined in Section 1596.750,
- 26 including, but not limited to, the following:
- 27 (A) Daycare center, as defined in Section 1596.76.
- 28 (B) Employer-sponsored childcare center, as defined in Section
- 29 1596.771.
- 30 (C) Family daycare home, as defined in Section 1596.78.
- 31 (D) Schoolage childcare center, as defined in Section 1596.7915.
- 32 (E) Drop-in childcare center, as defined in Section 1596.7916.
- 33 1796.81. This chapter shall apply to all of the following
- 34 proclamations or declarations:
- 35 (a) A state of emergency, as proclaimed by the Governor
- 36 pursuant to Section 8625 of the Government Code.
- 37 (b) A federal emergency declaration by the President of the
- 38 United States pursuant to Section 5191 of Title 42 of the United
- 39 States Code under the federal Robert T. Stafford Disaster Relief

1 and Emergency Assistance Act (42 U.S.C. Sec. 5121 et seq.)  
2 (Stafford Act).

3 (c) A federal major disaster declaration by the President of the  
4 United States pursuant to Section 5170 of Title 42 of the United  
5 States Code under the federal Stafford Act.

6 (d) A federal fire management assistance declaration approved  
7 by the Federal Emergency Management Agency (FEMA) pursuant  
8 to Section 5187 of Title 42 of the United States Code under the  
9 federal Stafford Act and pursuant to Part 204 (commencing with  
10 Section 204.1) of Subchapter D of Chapter I of Title 44 of the  
11 Code of Federal Regulations.

12 1796.82. (a) In the case of an entity listed in Section 1796.80  
13 that is made nonoperational, due to its destruction, significant  
14 damage, or through a prolonged closure or otherwise, during and  
15 as a result of an emergency or disaster proclaimed or declared as  
16 described in Section 1796.81, both of the following shall apply:

17 (1) Notwithstanding any other law, and in accordance with this  
18 chapter, the State Department of Public Health or the State  
19 Department of Social Services, as applicable, shall allow the entity,  
20 when nonoperational due to its destruction, significant damage,  
21 or prolonged closure, to obtain a disaster suspension of its active  
22 license if the entity notifies the department that it intends to become  
23 operational again, by being rebuilt or reopening or otherwise, in  
24 the same or alternative location.

25 (2) The entity shall notify the applicable department within six  
26 months of the proclamation or declaration if the entity seeks to  
27 obtain a disaster suspension of its active license pursuant to  
28 paragraph (1).

29 (b) This chapter shall not be construed as waiving any applicable  
30 inspection requirements under existing law for purposes of making  
31 entities operational again.

32 1796.83. In the case of an entity listed in Section 1796.80 that  
33 is nonoperational due to its destruction, significant damage, or  
34 prolonged closure, and is being rebuilt for the same purpose, if the  
35 State Department of Public Health or the State Department of  
36 Social Services, as applicable, has allowed the entity to obtain a  
37 disaster suspension of its active license pursuant to Section  
38 1796.82, the department may waive, in whole or in part, the annual  
39 state licensing fees for the entity on a year-by-year basis.

1 1796.84. If an entity subject to this chapter is licensed or  
 2 certified by more than one state department within the California  
 3 Health and Human Services Agency, and is made nonoperational  
 4 and obtains a disaster suspension of its active license pursuant to  
 5 Section 1796.82, the governing state departments shall coordinate  
 6 operational steps, including the utilization of concurrent processes.

7 1796.85. For the duration of the first 30 calendar days following  
 8 a proclamation or declaration as described in Section 1796.81, the  
 9 State Department of Public Health or the State Department of  
 10 Social Services, as applicable, shall waive in-person or daily  
 11 attendance requirements for Community-Based Adult Services  
 12 (CBAS), as described in Section 14184.201 of the Welfare and  
 13 Institutions Code, or for childcare programs, for purposes of an  
 14 entity made nonoperational, as described in Section 1796.82, during  
 15 those 30 calendar days.

16 1796.86. The State Department of Social Services shall  
 17 collaborate with local building, planning, and permitting officials,  
 18 the local fire marshal, and local childcare agencies and regional  
 19 centers, to ensure swift and seamless processes for inspecting and  
 20 licensing entities that are subject to this chapter and that are being  
 21 made operational again after a proclaimed or declared emergency  
 22 or disaster as described in Section 1796.81.

23 SEC. 5. Article 6 (commencing with Section 11834.60) is  
 24 added to Chapter 7.5 of Part 2 of Division 10.5 of the Health and  
 25 Safety Code, to read:

26

27 Article 6. Licensing During Emergencies or Disasters

28

29 11834.60. This article shall apply to alcohol or other drug  
 30 recovery or treatment facilities, as defined in Section 11834.02,  
 31 within the jurisdiction of the State Department of Health Care  
 32 Services.

33 11834.61. This article shall apply to all of the emergency or  
 34 disaster proclamations or declarations that are listed in Section  
 35 1796.81.

36 11834.62. (a) In the case of an alcohol or other drug recovery  
 37 or treatment facility that is made nonoperational, due to its  
 38 destruction, significant damage, or through a prolonged closure  
 39 or otherwise, during and as a result of an emergency or disaster

1 proclaimed or declared as described in Section 11834.61, the  
2 following shall apply:

3 (1) Notwithstanding any other law, and in accordance with this  
4 article, the department may allow the facility to obtain a disaster  
5 suspension of its active license if the facility notifies the department  
6 that it intends to become operational again, by being rebuilt or  
7 reopening or otherwise, in the same or alternative location.

8 (2) The facility shall notify the department within six months  
9 of the proclamation or declaration if the facility seeks to obtain a  
10 disaster suspension of its active license pursuant to paragraph (1).

11 (b) This article shall not be construed as waiving any applicable  
12 inspection requirements under existing law for purposes of making  
13 facilities operational again.

14 11834.63. In the case of an alcohol or other drug recovery or  
15 treatment facility that was destroyed in a fire and is being rebuilt  
16 for the same purpose, if the department has allowed the facility to  
17 obtain a disaster suspension of its active license pursuant to Section  
18 11834.62, the department may waive, in whole or in part, the  
19 annual state licensing fees for the facility on a year-by-year basis.

20 11834.64. If an alcohol or other drug recovery or treatment  
21 facility subject to this article is licensed or certified by one or more  
22 other state departments within the California Health and Human  
23 Services Agency in addition to the State Department of Health  
24 Care Services, and is made nonoperational and obtains a disaster  
25 suspension of its active license pursuant to Section 11834.62, the  
26 governing state departments shall coordinate operational steps,  
27 including the utilization of concurrent processes.

28 SEC. 6. No reimbursement is required by this act pursuant to  
29 Section 6 of Article XIII B of the California Constitution because  
30 the only costs that may be incurred by a local agency or school  
31 district will be incurred because this act creates a new crime or  
32 infraction, eliminates a crime or infraction, or changes the penalty  
33 for a crime or infraction, within the meaning of Section 17556 of  
34 the Government Code, or changes the definition of a crime within  
35 the meaning of Section 6 of Article XIII B of the California  
36 Constitution.