

AMENDED IN ASSEMBLY MAY 1, 2025

AMENDED IN ASSEMBLY MARCH 17, 2025

CALIFORNIA LEGISLATURE—2025–26 REGULAR SESSION

ASSEMBLY BILL

No. 1196

Introduced by Assembly Member Gallagher

February 21, 2025

An act to add Section 1255.4 to the Health and Safety Code, relating to health facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 1196, as amended, Gallagher. Health facilities: cardiac surgery.

Existing law provides for the licensure and regulation of health facilities, including general acute care hospitals, by the State Department of Public Health. Existing law authorizes a general acute care hospital to be approved to offer special services, including, among others, cardiac surgery. Existing regulation requires, when a general acute care hospital is providing cardiovascular operative service, that a minimum of 3 surgeons constitute a surgical team if the procedure requires extracorporeal bypass. ~~Violation of these provisions is a crime.~~

~~This bill would instead require, when a general acute care hospital is performing cardiac surgery, that the surgical team for all cardiovascular operative procedures that require extracorporeal bypass consist of a minimum of one surgeon and 2 additional individuals, each of whom is either a physician's assistant or a registered nurse that meets specified requirements. The bill would require the department, on or before January 1, 2027, to amend its regulations to be consistent with these provisions. By changing the definition of a crime, this bill would impose a state-mandated local program.~~

~~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.~~

This bill would require the department, on or before January 1, 2029, to update that regulation to reflect current professional standards of care relating to extracorporeal bypass surgery.

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

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

1 SECTION 1. *Section 1255.4 is added to the Health and Safety*
2 *Code, to read:*

3 1255.4. *On or before January 1, 2029, the department shall*
4 *update Section 70435(b)(2) of Title 22 of the California Code of*
5 *Regulations to reflect current professional standards of care*
6 *relating to extracorporeal bypass surgery.*

7 ~~SECTION 1. Section 1255.4 is added to the Health and Safety~~
8 ~~Code, to read:~~

9 ~~1255.4. (a) When a general acute care hospital is performing~~
10 ~~cardiac surgery, a minimum of one surgeon who meets the~~
11 ~~requirements of Section 70435(b)(1) of Title 22 of the California~~
12 ~~Code of Regulations, and two additional individuals, each of whom~~
13 ~~is either a physician's assistant or a registered nurse that meets the~~
14 ~~requirements established in Sections 70706 and 70706.1 of Title~~
15 ~~22 of the California Code of Regulations, shall constitute a surgical~~
16 ~~team for the performance of all cardiovascular operative procedures~~
17 ~~that require extracorporeal bypass.~~

18 ~~(b) On or before January 1, 2027, the department shall amend~~
19 ~~its regulations to be consistent with this section.~~

20 ~~SEC. 2. No reimbursement is required by this act pursuant to~~
21 ~~Section 6 of Article XIII B of the California Constitution because~~
22 ~~the only costs that may be incurred by a local agency or school~~
23 ~~district will be incurred because this act creates a new crime or~~
24 ~~infraction, eliminates a crime or infraction, or changes the penalty~~
25 ~~for a crime or infraction, within the meaning of Section 17556 of~~
26 ~~the Government Code, or changes the definition of a crime within~~

1 ~~the meaning of Section 6 of Article XIII B of the California~~
2 ~~Constitution.~~

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