



# CONSUMER ATTORNEYS OF CALIFORNIA

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## Bill addressing the abandonment of seniors in assisted living facilities on its way to the governor's desk

2017 Wine Country wildfires showed need for CAOC-backed SB 314

**SACRAMENTO (June 10, 2019)** – A Consumer Attorneys of California-backed bill protecting seniors in assisted living facilities during emergencies that put the frail elderly in harm's way won approval today from the California Assembly and is on its way to the desk of Gov. Gavin Newsom.

Senate Bill 314 by Sen. Bill Dodd (D-Napa), co-sponsored by California Advocates for Nursing Home Reform, will increase civil penalties to give assisted living facilities more incentive to protect residents in emergency situations.

The need for the legislation arose from the indefensible actions of staff members at two Santa Rosa senior homes during the October 2017 Wine Country wildfires. As flames closed in on the facilities, staff members fled, leaving behind about 100 elderly residents, many with walkers or wheelchairs. One of the facilities burned to the ground, and dozens of residents likely would have died without a rescue effort by family and emergency responders.

SB 314 will expand on the existing legal liability faced by those who hurt or allow harm to elderly dependents by updating the Enhanced Remedies section of the Elder Abuse and Dependent Adult Civil Protection Act (EADACPA). It will add "abandonment" to the list of acts that could lead to increased civil penalties for caregivers, giving facilities additional motivation to assist the frail elderly in their care during emergency situations.

California's 150,000 elderly residents of assisted living facilities are not able to protect themselves during emergencies due to dementia, physical disabilities or frail health, and their safety is entirely dependent on staff members and administrators.

"The idea of care homes abandoning frail elderly in an emergency can never happen again," said Consumer Attorneys of California president Mike Arias. "With the increasing threat of wildfires, caregivers need to make elderly residents their first priority in emergencies. This bill will help ensure that happens."

SB 314 passed both the Assembly and the California Senate without opposition. Gov. Newsom has 12 days to sign or veto the bill or allow it to become law without his signature.

*Consumer Attorneys of California is a professional organization of plaintiffs' attorneys representing consumers seeking accountability against wrongdoers in cases involving personal injury, product liability, environmental degradation and other causes.*

### For more information:

**J.G. Preston, CAOC Press Secretary, 916-600-9692, [jgpreston@caoc.org](mailto:jgpreston@caoc.org)  
Eric Bailey, CAOC Communications Director, 916-669-7122, [ebailey@caoc.org](mailto:ebailey@caoc.org)**