



CAOC-sponsored bill protecting seniors advances in California Senate

SB 314 is in response to nursing home residents abandoned in wildfires

SACRAMENTO (March 26, 2019) – A Consumer Attorneys of California-sponsored bill inspired by the shocking abandonment of seniors in assisted living facilities during the October 2017 Wine Country wildfires was approved by the California Senate Judiciary Committee today and advances to the Senate floor.

Senate Bill 314 by Sen. Bill Dodd (D-Napa), sponsored by Consumer Attorneys of California and California Advocates for Nursing Home Reform, would give assisted living facilities more incentive to protect residents in emergency situations. It would update the Enhanced Remedies section of the Elder Abuse and Dependent Adult Civil Protection Act (EADACPA) and expand on the existing legal liability faced by those who hurt or allow harm to elderly dependents.

When the Tubbs Fire was closing in on two Santa Rosa senior homes in 2017, 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 their family members and emergency responders.

Existing law covers “physical abuse, neglect, financial abuse, abandonment, isolation, abduction or other treatment resulting in physical harm, pain or mental suffering,” but “abandonment” is not mentioned in the Act’s Enhanced Remedies section. SB 314 would add “abandonment” to the list of acts that could lead to increased civil penalties for caregivers.

About 150,000 California elders live in assisted living facilities. Many 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.

“What happened in Santa Rosa cannot be allowed to happen again,” said Consumer Attorneys of California president Mike Arias. “If care facility staff members won’t prioritize the safety of the residents under their care, we need to provide additional motivation to protect our most vulnerable Californians.”

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.

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