



CONSUMER ATTORNEYS OF CALIFORNIA

Seeking Justice for All

CAOC-backed elder protection bill passes first key test Measure cements rights, legal protections in assisted living homes

SACRAMENTO (April 22, 2014) – A bill co-sponsored by Consumer Attorneys of California that would provide better protection for elderly residents of the state's fast-growing assisted living industry passed its first key legislative test today.

AB 2171 by Assemblyman Bob Wieckowski (D-Fremont) won approval in the Assembly Committee on Aging and Long-Term Care. It is the linchpin of the package of bills introduced this year to protect seniors and those with disabilities who reside in Residential Care Facilities for the Elderly (RCFE).

Wieckowski's bill, which comes amid a flurry of shocking revelations about the mistreatment of seniors in RCFEs, establishes a statutory bill of rights for elderly residents of those facilities as well as cementing legal protections to ensure basic dignity and autonomy of senior residents.

RCFEs are increasingly becoming the answer for our mothers, fathers and other relatives in their later years of life as California's population ages. Unlike many other states, California has not adjusted adequately to the sharp increase in residents' care needs over the past 10 to 15 years. Residents are increasingly exposed to serious harm and death due to poor state oversight and their extraordinary vulnerability, a problem made worse by a lack of recourse when they are mistreated.

The Residents Bill of Rights creates clarity for RCFE operators and residents while ensuring that the elderly are treated with decency and respect in the latter years of life. AB 2171 tracks successful law applicable to residents in nursing homes, with a few tweaks that relate to RCFEs. Unlike nursing homes, which are more heavily regulated, RCFEs lack even minimal government oversight. Given the success of nursing home oversight, there is good justification for similar protections at RCFEs.

The measure spells out a Bill of Rights that includes protections for visitation, privacy, confidentiality, personalized care, autonomy, informed consent, financial management, freedom from abuse and restraint, adequate staffing and many more. It would also establish a private right of action giving residents the opportunity to use the courts to prevent or stop ongoing violations of their rights.

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, 916-669-7126, jgpreston@caoc.org
Eric Bailey, CAOC Communications Director, 916-669-7122, ebailey@caoc.org**