



CONSUMER ATTORNEYS OF CALIFORNIA

Seeking Justice for All

Newsom signs bill addressing the abandonment of seniors in assisted living facilities during emergencies 2017 Wine Country wildfires demonstrated need for CAOC-backed SB 314

SACRAMENTO (June 26, 2019) – Gov. Gavin Newsom has signed legislation designed to better protect seniors in assisted living facilities during wildfires and other emergencies.

Senate Bill 314 by Sen. Bill Dodd (D-Napa), co-sponsored by Consumer Attorneys of California and 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 after the October 2017 Wine Country wildfires, when as many as 100 elderly residents, many with walkers or wheelchairs, were left behind at facilities. One of the facilities burned to the ground, and about 20 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.

“Elder-care facilities need to step up at times of crisis,” said Mike Arias, president of Consumer Attorneys of California. “This new law will give them extra motivation to do the right thing.”

SB 314 passed both the Assembly and the California Senate without opposition. It becomes law Jan. 1, 2020.

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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