



CONSUMER ATTORNEYS OF CALIFORNIA

Seeking Justice for All

Bill addressing the abandonment of seniors in assisted living facilities advances to Assembly floor

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

SACRAMENTO (June 4, 2019) – A Consumer Attorneys of California-sponsored bill protecting seniors in assisted living facilities during emergencies that put the frail elderly in harm's way will next be considered by the full Assembly after receiving unanimous approval in the Assembly Judiciary Committee today.

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.

"What happened in Santa Rosa was inexcusable and can never happen again," said Consumer Attorneys of California president Mike Arias. "With the increasing threat of wildfires, we need to ensure caregivers make elderly residents their first priority in emergencies."

SB 314 has already passed the California Senate without opposition.

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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