

## AUGUST HEALTH OMNIBUS SUMMARY – AB 177

Please note, the below summary only highlights items anticipated to be of interest to local health departments.

### **Health Facilities Bed Capacity Data Solution (HSC 131400-131425)**

- Upon an appropriation or availability of funds, requires CDPH, in collaboration with DHCS, to contract or develop and administer a capacity data solution to collect, aggregate, and display information about the availability of beds in general acute care hospitals, emergency departments, and behavioral health facilities statewide.
- Specifies the purpose of the capacity data solution to monitor bed capacity in near real time among specified entities during normal operations and emergencies with the goal of reducing morbidity and mortality by facilitating patient transfers and placement and to support response to public health and medical emergencies affecting or impacting the health of California residents.
- Authorizes CDPH to determine entities in addition to general acute care hospitals, emergency departments, and behavioral health facilities to be included in the capacity data solution.
- Requires DHCS to determine behavioral health facilities to be included in the capacity data solution, including but not limited to acute psychiatric hospitals, general acute care hospitals with psychiatric units, psychiatric health facilities, provider sites certified to provide crisis stabilization units, and psychiatric residential treatment facilities.
- Specifies bed availability data elements required to be submitted by general acute care hospitals, emergency departments, and behavioral health facilities.
- Authorizes CDPH, in collaboration with DHCS and stakeholders, to determine at any time additional specified entities, list of data elements, data transmission standards and schedules, and instructions.
- Exempts lists, standards, schedules, and instructions from administrative regulation and rulemaking requirements. Authorizes CDPH and DHCS to implement, interpret, or make specific the provisions by means of all-county letters, plan letters, provider bulletins, information notices, or similar instructions.
- Prohibits a civil penalty, fine, sanction, finding, or denial, suspension, or revocation of licensure for person or facilities from being imposed based upon a failure to provide data elements unless requirements were published in the California Code of Regulations and CDPH notified the person or facility of reporting requirements at least six months before the claimed failure to report or submit.
- Authorizes DHCS to impose a plan of correction or assess civil monetary penalties for specified entities licensed or certified by DHCS. Specifies DHCS enforcement provisions.