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**TO:** Long-Term Health Care Facilities

**SUBJECT:** Citations and Postings

**AUTHORITY:** Assembly Bill (AB) 773 (Eng, Chapter 472, Statutes of 2009)

This letter is being sent to notify you of new legislation established by AB 773. The following information represents the new requirements set forth by this chaptered legislation, as it affects long-term health care facilities (LTCFs) and the posting requirements for citations.

Effective January 1, 2010, Health and Safety Code (HSC) Section 1429 revises the posting requirements for class “AA” and class “A” violations in LTCFs and requires these violations to be posted for 120 days, as specified. HSC §1429 also stipulates that a violation of the provisions constitutes a class “B” violation, subject to a \$1,000 civil penalty.

For each class “AA” and class “A” citation that is issued, a copy shall be prominently posted for 120 days. The citation or copy shall be posted in a place or places in plain view of the patients or residents in the long-term health care facility, persons visiting those patients or residents, and persons who inquire about placement in the facility. The citation shall be posted in at least the following locations in the facility:

- An area accessible and visible to members of the public
- An area used for employee breaks
- An area used by residents for communal functions, such as dining, resident council meetings, or activities

The citation, along with a cover sheet, shall be posted on a white or light-colored sheet of paper, at least 8 1/2 by 11 inches in size that includes all of the following information:

- The full name of the facility, in a clear and easily readable font in at least 28-point type.

- The full address of the facility, in a clear and easily readable font in at least 20-point type.
- Whether the citation is class “AA” or class “A.”
- The facility may post the plan of correction.
- The facility may post a statement disputing the citation or a statement showing the appeal status, or both.
- The facility may remove and discontinue the posting required by this section if the citation is withdrawn or dismissed by the department, or is dismissed as a result of a citation review conference.

The information in this All Facilities Letter is a brief summary of AB 773 and facilities should refer to the full text to ensure compliance. The California Department of Public Health’s failure to expressly notify facilities of legislative changes does not relieve facilities of their responsibility for following all laws and for being aware of all legislative changes.

If you have any questions, please contact your local District Office.

Sincerely,

**Original Signed by Kathleen Billingsley, R.N.**

Kathleen Billingsley, R.N.  
Deputy Director  
Center for Health Care Quality