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California Department of Public Health



ARNOLD SCHWARZENEGGER
Governor

December 31, 2009

AFL 09-48

TO: General Acute Care Hospitals (GACH)

SUBJECT: Outpatient Clinic Supplemental Service

AUTHORITY: Assembly Bill (AB) 1544 (Jones, Chapter 543, Statutes of 2009)

This All Facilities Letter (AFL) is to inform you of recently chaptered legislation that will take effect January 1, 2010. Assembly Bill (AB) 1544 adds Section 1253.6 to the Health and Safety Code (HSC) and requires the California Department of Public Health (CDPH) to review applications submitted by licensed General Acute Care Hospitals (GACH) to add or modify an existing outpatient clinic supplemental service within 30 days of receipt.

For the purposes of HSC Section 1253.6 and the requirements established thereunder, “outpatient clinic services” has the same meaning as the services that may be provided by a primary care clinic (as defined in HSC Section 1204 (a)).

HSC Section 1253.6 requires that CDPH:

- Within 30 days of receipt, review the entire application, determine whether the application is missing information or has insufficient information, and, on the basis of this determination, provide the hospital with guidance on how to provide the missing information.
- Upon determination that the application for an outpatient clinic service is complete, investigate the facts set forth in the application and as appropriate, approve the additional or modified outpatient clinic service, add it to the hospital license, and issue a new license.
- If the department determines in the course of the investigation that additional information is needed, the applicant shall provide the additional information to the department upon request. If the applicant fails to provide any additional information to the department within 30 days of the request, the department shall deny the outpatient clinic services application. The department shall either grant or deny the application for the outpatient clinic service as a supplemental service within 100 days of the filing of a completed application.

- If a licensed general acute care hospital has previously been approved for an outpatient clinic service, within 30 days after receipt of a completed application for an additional outpatient clinic service, CDPH shall review and approve the additional or modified outpatient clinic service, add it to the hospital license, and issue a new license, provided the application meets the requirements of HSC Section 1253.6.

HSC Section 1253.6 clarifies that the department is not required to conduct an onsite inspection prior to approval of an outpatient clinic service application that is subject to HSC Section 1253.6, nor is the department prohibited from conducting an onsite inspection at any time.

The requirements established by this recently chaptered legislation affect applications submitted and received by the department on or after January 1, 2010. For applications submitted and received prior to January 1, 2010, the department intends to process them as promptly as possible.

The information in this AFL is a summary of the provisions established by AB 1544. Facilities are responsible for following all applicable laws. CDPH's failure to expressly notify facilities of legislative changes does not relieve facilities of their responsibility for following all laws and regulations, and for being aware of all legislative changes. Facilities should refer to the full text of AB 1544 and HSC Section 1253.6 to ensure compliance.

If you have questions regarding the information provided by this AFL, please contact your local district office.

Sincerely,

Original Signed by Pamela Dickfoss for Kathleen Billingsley, R.N.

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