



RON CHAPMAN, MD, MPH
Director & State Health Officer

State of California—Health and Human Services Agency
California Department of Public Health



EDMUND G. BROWN, JR.
Governor

December 30, 2013

AFL 13-37

TO: General Acute Care Hospitals

SUBJECT: Patient Transfer: Non-Medical Reasons: Notification

AUTHORITY: Health and Safety Code (HSC) Section 1317.2
and Civil Code (CIV) 56.1007

This All Facilities Letter (AFL) letter is being sent to notify general acute care hospitals (GACHs) of new requirements which take effect January 1, 2014. Assembly Bill (AB) 974 (Chapter 711, Statutes of 2013) amends Health and Safety Code Section 1317.2 relating to patient transfer for non-medical reasons and notification to their preferred contact or their next of kin.

Existing law prohibits the transfer of a person needing emergency services from one hospital to another for any non-medical reason unless prescribed conditions are met. Effective January 1, 2014, HSC 1317.2 will also require that prior to a transfer of a patient for a non-medical reason, the hospital ask the patient if there is a preferred contact person to be notified, and make a reasonable attempt to contact the person and alert him or her about the proposed transfer, and if the patient is not able to respond, require that the hospital make a reasonable effort to ascertain the identity of the preferred contact person or the next of kin and alert him or her about the transfer. Hospitals will additionally be required to document any attempt to contact a preferred contact person or next of kin in the patient's medical record.

The information in this AFL is a brief summary of AB 974. Facilities are responsible for following all applicable laws. The California Department of Public Health's (CDPH) failure to expressly notify facilities of legislative changes and/or statutory and regulatory requirements does not relieve facilities of their responsibility for following all laws and for being aware of all legislative changes. Facilities should refer to the full text of Health & Safety Code Sections 1317.2 and Civil Code 56.1007 to ensure compliance.

AFL 13-37
December 30, 2013
Page 2

If you have any additional questions, please contact your Licensing & Certification District Office.

Sincerely,

Original signed by Debby Rogers

Debby Rogers, RN, MS, FAEN
Deputy Director
Center for Health Care Quality