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California Department of Public Health



ARNOLD SCHWARZENEGGER  
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## AFL REVISION NOTICE

Subject: Notice of GACH, APH Closure and Elimination or Relocation of Supplemental Services

Revision To: AFL 08-47

Revision Date: November 12, 2010

Attachments: AFL 10-28

This notice is to inform you that the California Department of Public Health has revised All Facilities Letter (AFL) 08-47 with the attached AFL 10-28.

The revised AFL informs General Acute Care Hospitals and Acute Psychiatric Hospitals about the types of documentation that surveyors will be verifying to ensure compliance with the requirements of Health & Safety Code Section 1255.25. The law requires facilities that are closing or eliminating or relocating supplemental services to a different campus to provide at least 30 days advance notice of these actions.

Please review the AFL and contact your local District Office if you have further questions.



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November 12, 2010

AFL 10-28  
(Supersedes AFL 08-47)

**TO:** General Acute Care Hospitals  
Acute Psychiatric Hospitals

**SUBJECT:** Notice of Facility Closure and Elimination or Relocation of Supplemental Services

**AUTHORITY:** Health & Safety Code Section 1255.25

This letter is being sent to remind hospitals of the requirements of Health & Safety Code (HSC) Section 1255.25 effective January 1, 2009. Before closing the facility or eliminating or relocating supplemental services to a different campus, the law requires general acute care hospitals and acute psychiatric hospitals (except county facilities covered by HSC Section 1442.5) to provide at least 30 days advance notice of these actions.

Affected facilities are to comply with the law by: 1) Posting a notice at the facility entrance; 2) Notifying the California Department of Public Health (CDPH) and; 3) Notifying the Board of Supervisors of the county in which the health facility is located.

The statute requires notice to include the following information:

- A description of the proposed closure, elimination, or relocation. The description shall be limited to publicly available data, including the number of beds eliminated, if any, the probable decrease in the number of personnel, and a summary of any service that is being eliminated, if applicable.
- A description of the three nearest available comparable services in the community. If the facility serves Medi-Cal or Medicare patients, it shall specify if the providers of the nearest available comparable services serve Medi-Cal or Medicare patients.
- A telephone number and address for each of the following, where interested parties may offer comments:
  - The health facility.
  - The parent entity, if any, or contracted company, if any, that acts as the corporate administrator of the health facility.
  - The chief executive officer.

During any future on-site visits, facilities that have closed, eliminated or relocated a supplemental service to a different campus should expect CDPH surveyors to verify facility compliance with this requirement.

Please have the following readily available for surveyor review:

- Copy of required advance notice to CDPH advising of facility closure or the elimination or relocation of a supplemental service to a different campus and the date of notification.
- Copy of required advance notice to local county Board of Supervisors advising of facility closure or the elimination or relocation of a supplemental service to a different campus and the date of notification.
- Copy of the public postings notating the date of relocation, closure or elimination of the supplemental service.

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. Facilities should refer to the full text of all applicable sections of the HSC and Title 22 of the California Code of Regulations.

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

Thank you for your cooperation.

Sincerely,

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

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