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## SENATE COMMITTEE ON APPROPRIATIONS

Senator Anthony Portantino, Chair  
2021 - 2022 Regular Session

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### AB 2511 (Irwin) - Skilled nursing facilities: backup power source

**Version:** April 7, 2022

**Urgency:** No

**Hearing Date:** June 27, 2022

**Policy Vote:** HEALTH 9 - 0

**Mandate:** Yes

**Consultant:** Agnes Lee

**Bill Summary:** AB 2511 requires skilled nursing facilities to have an alternative source of power to protect resident health and safety for no less than 96 hours during any type of power outage.

#### **Fiscal Impact:**

- The Department of Health Access and Information (HCAI) estimates the costs to review architectural, mechanical, and electrical plans for skilled nursing facilities as well as life/safety and compliance oversight for the projects would be approximately \$1.2 million ongoing, which includes staff resources (Hospital Building Fund).
- Minor costs to CA Department of Public Health.

**Background:** Current law requires the CA Department of Public Health to conduct inspections and investigation of skilled nursing facilities to determine compliance with federal standards and California statutes and regulations. Existing state regulations require these facilities to provide and maintain an emergency electrical system in safe operating condition, which is required to serve all lighting, signals, alarms, and equipment required to permit continued operation of all necessary functions of the facility for a minimum of six hours.

In November of 2019, the Office of Inspector General (OIG) of the United States Health and Human Services Agency issued a report entitled: *“California Should Improve its Oversight of Selected Nursing Homes’ Compliance with Federal Requirements for Life Safety and Emergency Preparedness.”* With regard to emergency power, the OIG report pointed out that nursing homes located in certain seismic zones must maintain a 96-hour fuel supply. Of the nursing homes visited, nine had one or more deficiencies related to emergency power, including eight that had not properly inspected, tested, and maintained their generators. Two nursing homes located in certain seismic zones did not have sufficient generator fuel on hand to last 96 hours. With regard to emergency plans, 12 nursing homes had one or more deficiencies related to their emergency plans for evacuations, sheltering in place, or tracking residents and staff during and after emergencies.

**Proposed Law:** The bill requires skilled nursing facilities to have an alternative source of power to protect resident health and safety for no fewer than 96 hours during any type of power outage.

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